



376-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

In re Application of: § Atty. Docket No.: PUL.504E  
Cesar Z. Lina § [KCIA,012] #23  
Serial No.: 09/432,904 § Group Art Unit: 3764  
Filed: November 2, 1999 § Examiner: D.D. DeMille  
For: **FOOT MOUNTED**  
**VENOUS COMPRESSION**  
**DEVICE** §

RECEIVED

APR 13 2004

COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

RECEIVED - U.S. PATENT & TRADEMARK OFFICE  
**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Mark R. Wisner, Registration No. 30,603 April 1, 2004  
Date

**REQUEST FOR REINSTATEMENT**

Dear Sir:

Applicant is in receipt of the Notice of Abandonment dated March 12, 2004 in the captioned application. This Notice indicates that the application was abandoned because of "Applicant's failure to timely file a proper reply to the Office letter mailed 10 June 2003." Applicant respectfully requests reinstatement of the application on the following basis.

Applicant mailed the following documents, with a properly executed certificate of mailing under 37 C.F.R. 1.8(a), to the Office on October 7, 2003:

- Response to Official Action of June 10, 2003;
- Request for (one month) Extension of Time; and
- Transmittal of Amendment.

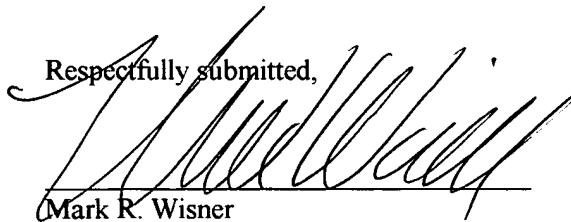
Copies of the above-listed documents are enclosed for the convenience of the Office. Unfortunately, the below-signed Attorney for Applicant does not seem to have received the date-stamped postcard sent with that filing back from the Office to enclose with this Request for Reinstatement to show that the Office acknowledged receipt of that filing. However, as set out in 37 C.F.R. 1.8(a), correspondence required to be filed within a set period of time will be considered

as timely filed if the procedure described in §1.8 is followed; actual receipt of the correspondence by the Office is not required by the Rule.

Specifically, correspondence sent to the Office is considered timely "if the party who forwarded such correspondence (1) informs the Office of the previous mailing . . . promptly after becoming aware that the Office has no evidence of receipt of the correspondence; (2) supplies an additional copy of the previously mailed . . . correspondence and certificate; and (3) includes a statement which attests on a personal knowledge basis . . . to the previous timely mailing . . . 37 C.F.R. 1.8(b). This Request for Reinstatement is therefore being filed by the party who forwarded the previous correspondence (the undersigned Attorney) to inform the Office that the correspondence was not received, and is being filed promptly after the undersigned Attorney became aware that the Office had not received the correspondence. An additional copy of the previously mailed correspondence is enclosed, and the undersigned Attorney hereby states that he personally deposited the envelope (into which he had himself placed the enclosed correspondence) into the U.S. Postal Service mail drop box on the first floor of the building in which his office is located and that he did so in time for pick-up by the postal carrier on October 7, 2003.

Applicant therefore requests withdrawal of the Notice of Abandonment of the application, entry of the amendments outlined in Applicant's Response to Official Action of June 10, 2003 and consideration of the remarks set out therein, along with reconsideration and withdrawal of the rejections, and passage of the application to issuance. Although there should not be any fee for this Request for Reinstatement, in the unforeseen event a fee is assessed, the Commissioner is authorized to charge the Deposit Account of Wisner & Associates, Account No. 50-0965 (KCIA,012).

Respectfully submitted,



(Mark R. Wisner

Registration No. 30,603

Wisner & Associates

2925 Briarpark, Suite 930

Houston, TX 77042

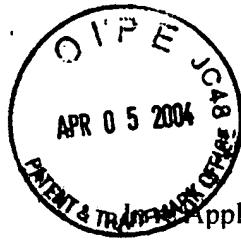
Telephone: (713) 785-0555

Facsimile: (713) 785-0561

ATTORNEY FOR APPLICANT

Date: April 1, 2004

**COPY**



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MAIL STOP NON FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

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October 7, 2003  
Mark R. Wisner, Registration No. 30,603  
Date

**TRANSMITTAL OF AMENDMENT**

Dear Sir:

Transmitted herewith is an amendment (responsive to the Official Action of June 10, 2003 in the above-identified application.

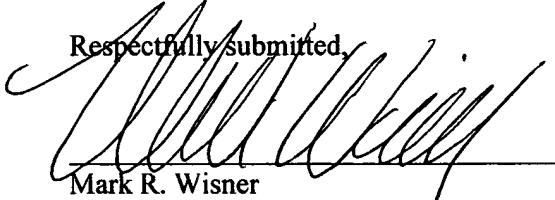
The fee for the amendment (if any) has been calculated as shown below:

FOR	CLAIMS PAID FOR	TOTAL CLAIMS	EXTRA CLAIMS	RATE	TOTAL
Total Claims	20	20	0	\$18 / \$9	\$0
Independent Claims	5	2	0	\$84/\$42	\$0
TOTAL FEE DUE:					\$0

- Also enclosed is a request for a one month extension of the time to respond to the Official Action of June 10, 2003 authorizing the Commissioner of Patents to draw on the Deposit Account of Wisner & Associates, Account No. 50-0965 (KCIA,012) in the amount of the required fee for an extension of time.
- The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Wisner & Associates, Account No. 50-0965 (KCIA,012), if there are charges for entry of the enclosed amendment.
- Please refund any overpayment.

Please date stamp and return the attached postcard to confirm receipt of this amendment.

Respectfully submitted,

  
Mark R. Wisner  
Registration No. 30,603  
Wisner & Associates  
1177 West Loop South, Suite 400  
Houston, TX 77027  
Telephone: (713) 785-0555  
Facsimile: (713) 785-0561

ATTORNEY FOR APPLICANT

Date: October 7, 2003